April 26, 1955

C. J. Foxgrover Jr., Esquire
Langner, Parry, Card & Langner
Monadnock Block
Chicago 4, Illinois

Re: Philip Morris & Co., Ltd., Inc.
German Patent Appln. 24,304
U. S. Serial No. 383,122
DuPuis & Lieser

Dear Mr. Foxgrover:

We have your letter of April 20 together with the Office Action

It is satisfactory with us to cancel claims 7 through 18. We did not realize that Germany does not allow specific claims to the cigarette and the method claims including the subject matter of claims 1 through 6.

It is also satisfactory to us to combine claims 1 and 2 so that the range specified is 5 to 40% by weight of the polyhydric alcohol.

There are several cases in United States practice which allow you to use the minimum amount and not necessarily specify the maximum. This is the basis of claim 1 in present form.

The German reference shows the use of glycerine as an optional material in the treatment of cigarette filters with a solution of palladium or platinum salt. While the reference specifies that the addition of glycerine serves to promote absorbability of the nicotine, pyridines and picolines and to prevent the fibers from becoming dusty, it points out the additional glycerine is not absolutely necessary. The Examiner in his rejection points out the amounts of glycerine are small and should be below 5% by weight.

It was a new and unexpected result applicants disclosed by showing that if a filter is treated with at least 5% by weight of polyhydric alcohol certain objectionable constituents in the smoke stream, such as aldehydes and tars, are increasingly absorbed by the mouthpiece. Less than 5% does not bring about this increased

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absorption. While one can attempt to use more than 40%, this amount of polyhydric alcohol causes bleeding of the tobacco onto the paper which is highly objectionable.

We assume from the Examiner's rejection that it will be necessary to insert prior art as shown in the references. If claims 7 through 18 are cancelled and claims 1 and 2 combined, it is thought this will be ready for publication.

If you have any further questions, please let us know.

Very truly yours,

PHILIP MORRIS & CO. LTD., INC.

R. J. Leahy
Technical Service Manager

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